

**REMARKS**

Claims 1-36 are pending in this application and are presented for reconsideration. By this Amendment, claim 11 is amended and new claims 32-36 are added. No new matter is added.

A. Applicant thanks the Examiner for the indication that claims 2-10, 13-20, 23-29, and 31 contain patentable subject matter and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, Applicant respectfully submits that all the pending claims are in condition for allowance in light of the remarks below.

B. Claims 1 and 30 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,985,967 to Colton, *et al.* ("Colton"). This rejection is respectfully traversed.

Applicant submits that Colton fails to teach or suggest at least the features of a first circuit that detects a frame start point of input data based on a frame alignment signal and a second circuit that excludes the input data having an improper start point based on a frame start point detecting value. Colton discloses a common control constant shift reframe circuit. Colton utilizes common control circuitry to implement a constant shift reframe circuit to carry out a reframing operation on 24 multiplexed digroups. See col. 2, lines 23-27. Each digroup is an 8-bit word (D1-D8) with a framing bit (D9) added at the end and the 24<sup>th</sup> (W23) digroup has a framing bit set to 1 or 0 as part of the word based on a framing pattern and all the other 23 (W0-W22) have the framing bit set to 0. See Figs. 2 and 5, col. 3, lines 47-62, and col. 4, lines 2-10. The frame detector 20 examines each digroup for frame synchronization by comparing the

framing bits thereof against a locally generated framing pattern. See col. 7, lines 16-22. The framing bit is not a frame alignment signal that indicates a frame start point.

The Office Action alleges that Colton teaches a second circuit that excludes input data having an improper start point based on a frame start point detecting value and relies on col. 21, line 68 to col. 22, line 4 for support. However, this section of Colton does not mention an improper start point based on a frame start point detecting value. Furthermore, Colton does not exclude input data, but merely shifts the input data m-bits to delay the input data so it is synchronized.

Thus, Applicant respectfully submits that Colton fails to teach or suggest at least these features and combinations thereof as variously recited in claims 1 and 30. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 1 and 30 under 35 U.S.C. §102(b) in view of Colton.

C. Claims 11 and 21 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,442,163 to Chopping ("Chopping"). This rejection is respectfully traversed.

Applicant submits that Chopping fails to teach or suggest at least the features of a first circuit that detects a frame alignment signal in a framed data and a second circuit that checks whether the framed data is normal, wherein the framed data is reframed data. Chopping discloses a frame aligner including a depacketizer. Chopping discloses a cell frame aligner comprising a depacketizer and a frame alignment signal detector that detects a frame alignment signal in a non-continuous data stream and generates an associated frame start signal or a loss

of frame alignment signal as appropriate. See col. 2, lines 12-35. In Chopping, the frame alignment signal is detected in originally framed data, not reframed data. If the non-continuous data stream is not properly aligned, the data is not processed. Hence, Chopping does not perform a reframing operation and, therefore, does not check for a frame alignment signal in reframed data.

Thus, Applicant respectfully submits that Chopping fails to teach or suggest at least these features and combinations thereof as variously recited in claims 11 and 21. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 11 and 21 under 35 U.S.C. §102(e) in view of Chopping.

D. Claim 12 was rejected under 35 U.S.C. §103(a) as being unpatentable over Chopping in view of Colton. This rejection is respectfully traversed.

Applicant submits that Chopping, alone or in combination with Colton, fails to teach or suggest all the features of claim 12 for the reasons given above with respect to claim 11. For example, neither Chopping nor Colton teaches or suggests detecting a frame alignment signal in reframed data.

Thus, Applicant respectfully submits that Chopping, alone or in combination with Colton, fails to teach or suggest all the features of claim 12. Accordingly, Applicant respectfully requests withdrawal of the rejection of claim 12 under 35 U.S.C. §103(a) in view of Chopping and Colton.

E. Claim 22 was rejected under 35 U.S.C. §103(a) as being unpatentable over Colton in view of U.S. Patent No. 5,528,579 to Wadman, *et al.* ("Wadman"). This rejection is respectfully traversed.

Applicant submits that Colton, alone or in combination with Wadman, fails to teach or suggest at least the features of a first circuit that detects a frame start point of input data based on a frame alignment signal and a second circuit that excludes the input data having an improper start point based on a frame start point detecting value for the reasons given with respect to claim 1. Adding the combination of Wadman to the disclosure of Colton does not cure this defect.

Thus, Applicant respectfully submits that Colton, alone or in combination with Wadman, fails to teach or suggest at least these features and combinations thereof as variously recited in claim 22. Accordingly, Applicant respectfully requests withdrawal of the rejection of claim 22 under 35 U.S.C. §103(a) in view of Colton and Wadman.

### **CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **TYLER S. BROWN**, at the telephone number listed below.

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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